

REMARKS

The present Amendment amends claims 2 and 6, cancels claims 1 and 5 and leaves claims 3 and 4 unchanged. Therefore, the present application has pending claims 2-4 and 6.

Claims 1 and 5 stand rejected under 35 USC §102(b) as being anticipated by Uesugi (U.S. Patent No. 6,038,264). As indicated above, claims 1 and 5 were canceled. Therefore, this rejection is rendered moot. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

It should be noted that the cancellation of claims 1 and 5 was not intended nor should it be considered as an agreement on Applicants part that the features recited in claims 1 and 5 are taught or suggested by Uesugi. The cancellation of claims 1 and 5 was simply intended to expedite prosecution of the present application. Applicants hereby reserve their right to pursue the invention as set forth in claims 1 and 5 in a continuing application.


Applicants acknowledge the Examiner's indication in paragraph 3 of the Office Action that claims 2-4 and 6 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Amendments were made to claims 2-4 and 6 to place them in independent form including all the limitations of the base claim and any intervening claims. Therefore, claims 2-4 and 6 are allowable as indicated by the Examiner.

In view of the foregoing amendments and remarks, applicants submit that claims 2-4 and 6 are in condition for allowance. Accordingly, early allowance of claims 2-4 and 6 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417 (500.42967X00).

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

 32,846

Carl I. Brundidge
Registration No. 29,621

CIB/jdc
(703) 684-1120